



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

FEB 20 2014

Seragon Associates
c/o Mr. James Wendell, Member
54 Forest Hill Drive
Farmington, Connecticut 06032

Re: PCB Cleanup and Disposal Approval under §§ 761.61(a) and (c)
Former Dell Manufacturing Company Facility
4 Right Lane
Farmington, Connecticut

Dear Mr. Wendell:

This is in response to the Seragon Associates ("Seragon") Notification¹ to clean up *PCB remediation waste*² on its property located at 4 Right Lane in Farmington, Connecticut. Specifically, PCB contamination exceeding the allowable concentrations for unrestricted use is present in soils located in the former empty-drum storage area PRA#6 (hereinafter "the Site") on the property. The Notification was submitted on behalf of Seragon by Leggette, Brashears & Graham, Inc. in accordance with the PCB self implementing cleanup and disposal requirements at 40 CFR § 761.61(a)(3).

Seragon's Notification includes the following PCB cleanup and disposal activities:

- *PCB remediation waste* with greater than (" $>$ ") 1 part per million ("ppm") will be removed to meet the *high occupancy area* cleanup standard without further restrictions, or alternatively, *PCB remediation waste* with > 10 ppm will be removed, a TSCA-compliant cap will be installed, and a deed notice will be recorded;

¹ Information was submitted to satisfy the notification requirements under 40 CFR §§ 761.61(a)(3). Information was provided dated April 10, 2012 (CTDEEP email transmitting Dell sampling information); August 2012 (Self-Implementing PCB Cleanup Work Plan (SIP)); February 22, 2013 (Proposed PCB Remediation Activity); January 13, 2014 (email site owner and excavation sampling information); January 14, 2014 (emails site owner information); January 21, 2014 (email Site information); January 28, 2014 (email *PCB remediation waste* excavation and sampling); and February 5, 2014 (email response to EPA comments). These submittals, together, will be referred to as the "Notification."

² For purposes of the PCB cleanup, the term "*PCB remediation waste*" shall be defined only to apply to those PCB-contaminated soils associated with releases/spills from activities within the former drum storage area PRA #6 (identified to contain Arochlor 1248) and not the 500 gallon UST, which was identified to contain only PCB Arochlor 1254.

- *PCB remediation waste* with > 25 ppm will be disposed of in accordance with § 761.61(a)(5)(i)(B)(2)(iii) at a TSCA-permitted disposal facility or RCRA-hazardous waste landfill; and, *PCB remediation waste* with > 1 ppm but less than or equal to ("≤") 25 ppm will be disposed of at a RCRA-permitted non-hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(2)(ii) or at a RCRA-permitted hazardous waste landfill or TSCA-permitted disposal facility in accordance with § 761.61(a)(5)(i)(B)(2)(iii); and,
- Verification sampling will be conducted in accordance with Subpart O to confirm that the PCB cleanup standards for both on-site and off-site disposal have been met.

With the exception of the required characterization sampling for off-site disposal, the proposed plan meets the requirements under 40 CFR § 761.61(a). Given the Site history, the characterization sampling conducted at the Site, the management of initially excavated soils as a greater than or equal to ("≥") 50 ppm PCB waste, and the proposed additional sampling which will be conducted during and following the removal of *PCB remediation waste*, EPA has determined that the sampling will be adequate for purposes of segregation of the PCB-contaminated soils for off-site disposal. EPA finds that the sampling will not result in an unreasonable risk of injury to public health or the environment and EPA may authorize the characterization sampling for disposal under § 761.61(c).

EPA is approving the Notification and you may proceed with the proposed PCB cleanup and disposal under 40 CFR §§ 761.61(a) and (c), the Notification, and this Approval subject to the conditions of Attachment 1.

Please be aware that this Approval does not release Seragon from any applicable requirements of federal, state or local law, including those requirements related to the cleanup of PCBs and other [non-PCB] contaminants. EPA encourages Seragon to continue to work with the Connecticut Department of Energy and Environmental Protection (CTDEEP) to ensure all approvals necessary for this project have been obtained.

Questions and correspondence concerning and/or required under this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator
United States Environmental Protection Agency
5 Post Office Square, Suite 100 (OSRR07-2)
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Should you have any questions on this matter, please contact Kimberly Tisa at (617) 918-1527.

Sincerely,

A handwritten signature in black ink, appearing to read "James T. Owens, III". The signature is fluid and cursive, with a large initial "J" and a stylized "O".

James T. Owens, III
Director, Office of Site Remediation & Restoration

Attachment 1

cc: Michael Susca, LBG, Inc.
Gary Trombly, CTDEEP
File

ATTACHMENT 1:

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
FORMER DELL MANUFACTURING COMPANY FACILITY
4 RIGHT LANE
FARMINGTON, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to *PCB remediation waste*¹ (i.e., PCB-contaminated soils associated with releases/spills from activities conducted within the former empty drum storage area PRA #6) as identified in the Notification².
2. Seragon Associates ("Seragon") shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. Seragon must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, Seragon shall contact EPA within 24 hours for direction on sampling and cleanup requirements.
6. Seragon is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time Seragon has or receives information indicating that it or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.

¹ For purposes of this PCB cleanup, the term "*PCB remediation waste*" shall be defined only to apply to those PCB-contaminated soils associated with releases/spills from activities within the former drum storage area (identified to contain Arochlor 1248) and not the 500 gallon UST, which was identified to contain only PCB Arochlor 1254.

² Information was submitted to satisfy the notification requirements under 40 CFR §§ 761.61(a)(3). Information was provided dated April 10, 2012 (CTDEEP email transmitting Dell sampling information); August 2012 (Self-Implementing CB Cleanup Work Plan (SIP)); February 22, 2013 (Proposed PCB Remediation Activity); January 13, 2014 (email site owner and excavation sampling information); January 14, 2014 (emails site owner information); January 21, 2014 (email Site information); January 28, 2014 (email *PCB remediation waste* excavation and sampling); and February 5, 2014 (email response to EPA comments). These submittals, together, will be referred to as the "Notification."

7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by Seragon are authorized to conduct the activities set forth in the Notification. Seragon is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.
8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release Seragon from compliance with any applicable requirements of federal, state or local law; or 3) release Seragon from liability for, or otherwise resolve, any violations of federal, state or local law.
9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in 40 CFR § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from Seragon of acceptance of the conditions of this Approval within 10 business days of receipt.
11. Seragon shall notify EPA in writing of the scheduled date of commencement of on-site activities at least 3 business days prior to conducting any work under this Approval.
12. Prior to initiating onsite work under this Approval, the following information shall be submitted to EPA for review and/or approval:
 - a. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the analytical and quality assurance requirements specified in the Notification and in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected remediation contractor(s) describing the air monitoring that will be employed during remedial activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by its selected remediation contractor, stating that the contractor has read and understands the Notification, and agrees to abide by the conditions specified in this Approval.

CLEANUP AND DISPOSAL CONDITIONS

13. The cleanup level for *PCB remediation waste* at the Site shall be in accordance with 40 CFR § 761.61(a)(4) and shall meet the requirements for a *high occupancy area* as described in the Notification. The PCB cleanup standard shall be less than or equal to (" \leq ") 1 part per million ("ppm") or ≤ 10 ppm with a TSCA-compliant cap and a recorded deed notice in accordance with 40 CFR §§ 761.61(a)(7) and (8), respectively.
- a. Bulk *PCB remediation waste* (i.e., soil) samples shall be collected on a bulk basis (i.e., mg/Kg) and reported on a dry-weight basis. Verification sampling shall be conducted in accordance with Subpart O and as described in the Notification.
- i) Following excavation of the greater than (" $>$ ") 25 parts per million (ppm) *PCB remediation waste*, sampling shall be conducted as described in the Notification to confirm that all > 25 ppm *PCB remediation waste* has been removed. Composite sampling **may not** be conducted to confirm that the > 25 ppm *PCB remediation waste* has been removed. Bulk *PCB remediation waste* with > 25 ppm shall be disposed of in accordance with § 761.61(a)(5)(i)(B)(2)(iii).
- ii) Following excavation of the ≤ 25 ppm *PCB remediation waste*, sampling shall be conducted to confirm that the ≤ 1 ppm or ≤ 10 ppm PCB cleanup standard has been achieved. Bulk *PCB remediation waste* with > 1 ppm but ≤ 25 ppm shall be disposed of in accordance with § 761.61(a)(5)(i)(B)(2)(ii) or § 761.61(a)(5)(i)(B)(2)(iii).
- iii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction and/or analytical method(s) is validated according to Subpart Q.
14. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with § 761.61(a)(5), unless otherwise specified as follows:
- a. Non-liquid cleaning materials, such as PPE and similar materials resulting from decontamination, shall be disposed of in accordance with 40 CFR § 761.79(g)(6).
- b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).

- c. PCB-contaminated water generated during decontamination or dewatering shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.70.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

15. Seragon shall allow any authorized representative of the Administrator of the EPA to inspect the Site and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by Seragon to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
16. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
18. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

19. Seragon shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the cleanup and the analytical sampling shall be established and maintained by Seragon in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection by authorized representatives of EPA.
20. Seragon shall submit a final report, both in hard copy and CD-ROM format, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo log; characterization and confirmation sampling analytical results; copies of the accompanying chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of and the size of the remediated area; copies of manifests and bills of lading, or equivalent; and copies of certificates of disposal or similar certifications issued by the disposer.

21. Within 60 days of completion of the PCB cleanup activities described in the Notification and authorized by this Approval, and as required under §761.61(a)(8)(i)(B), Seragon shall submit to EPA a certification, signed by an approving official, that it has recorded the notation on the deed as required under §761.61(a)(8)(i)(A). A copy of the notation on the deed must also be submitted.
 - a. In the event that Seragon is able to achieve a PCB cleanup standard of ≤ 1 ppm for *PCB remediation waste*, the deed notation and certification requirements shall not apply.
22. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02114-2023
Telephone: (617) 918-1527 / Facsimile: (617) 918-0527
23. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self disclosure or penalty policies.

END OF ATTACHMENT 1